

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JESSE L. MORGAN,

Plaintiff,

vs.

THE VOGLER LAW FIRM, P.C., et al.,

Defendants.

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Case No. 4:15-cv-1654-SNLJ

AFFIDAVIT OF ALEXANDER J. CORNWELL

I, Alexander J. Cornwell, being sworn on my oath, state:

1. I am over the age of eighteen, am of sound mind and am otherwise competent to make this affidavit.

2. I am a partner with the firm Brody & Cornwell, LLC. I submit this affidavit in support of Plaintiffs' motion for attorney's fees and costs.

3. I have represented Plaintiff Jesse Morgan in the above-referenced case since the outset of the matter.

4. I have approximately six (6) years of experience in civil litigation, and 100% of my practice is devoted to consumer rights statutes.

5. I am a 2012 graduate of the University of Missouri-Columbia School of Law, where I received my Juris Doctor degree. I was admitted to the Missouri Bar in 2012 and the Illinois Bar in 2013. I am also admitted to practice before The United States District Court for the Eastern District of Missouri. I am in good standing with each of these bars and courts. I have never been subject to discipline by any bar or court.

6. I began my career with Greensfelder, Hemker, & Gale, P.C. representing Fortune 500 companies in complex civil litigation before joining a small, boutique firm specializing in consumer litigation.

7. Since becoming a partner with Brody & Cornwell, I have successfully obtained recovery for over 100 consumers in lawsuits involving claims under the Fair Debt Collection Practices Act and the Missouri Merchandising Practices Act, in particular.

8. In addition, I have successfully briefed and argued decisions involving the scope and application of the FDCPA and MMPA, among other consumer rights issues, before the Missouri Court of Appeals and the Supreme Court of Missouri. *Jackson v. Barton*, No. SC95771 (Apr. 17, 2018) (obtaining reversal of trial court order dismissing claims under the MMPA and FDCPA against law firm for misconduct during an underlying collection suit); *Dennis v. Riezman Berger, P.C.*, 529 S.W.3d 318, 321 (Mo. banc 2017) (obtaining reversal of trial court order dismissing claims under the MMPA and FDCPA against creditor who issued garnishments against consumer client in excess of the amount owed); *J & M Sec. v. Mees*, 519 S.W.3d 465 (Mo. Ct. App. 2017), *reh'g and/or transfer denied* (Apr. 27, 2017), *transfer denied* (June 27, 2017) (securing satisfaction of a judgment for consumer client in excess of \$14,000.00 after successfully arguing that an internal accounting credit by a creditor is not a "payment" such that the 10-year statute of limitations applicable to judgments is tolled).

9. Based upon my experience, my hourly rate of \$345.00 per hour is consistent with, and in many cases less than, attorneys with comparable experience, practice areas, and ability. I have set my rate based upon the market for legal services in general in the St. Louis Metro Area, in general, and for consumer rights litigators, in particular.

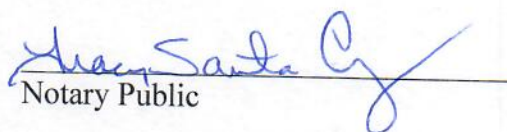
10. In my experience, the market for consumer rights attorneys is underserved by the local bar due to the perception that these cases are "low value" cases and the inherent risks in FDCPA and MMPA claims, wherein the plaintiff's attorney only recovers fees in the event of victory. Therefore, it is important for the continued viability of my practice to obtain my full rate of \$345.00 when I am able to secure a favorable recovery for my clients.

11. The work I performed in this case is accurately reflected in Fee Invoice contemporaneously filed herewith. My firm prepared this Invoice using time entries that were recorded contemporaneously with the work performed.

I declare under penalty of perjury that the foregoing is true and correct.


Alexander J. Cornwell

Subscribed and sworn to before me on June 15th, 2018.


Notary Public

My Commission/Appointment Expires:

